

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS – CENTRAL DIVISION

FILED

2004 AUG 17 P 2:55

JOSEPH M. LOSAPIO,
Plaintiff,

v.

METROPOLITAN LIFE INSURANCE
COMPANY,
Defendant.

C.A. NO.:

04-40156

REQUEST FOR ORAL ARGUMENT

**DEFENDANT METROPOLITAN LIFE INSURANCE COMPANY'S MOTION
TO CONSOLIDATE PURSUANT TO RULE F.R.C.P 42 AND L.R. 40.1(j)**

Defendant, METROPOLITAN LIFE INSURANCE COMPANY (hereinafter referred to as "MetLife") hereby moves this Court pursuant to Federal Rule of Civil Procedure 42 and Local Rule 40.1(j) to consolidate this action with the matter of Joseph M. Losapio v. The Lincoln National Life Insurance Company, Docket No.: 0469CV0193, which is pending in the East Brookfield District Court, County of Worcester, Massachusetts.

As grounds, MetLife refers to its Memorandum in support of the Motion to Consolidate Pursuant to Rule F.R.C.P 42 and L.R. 40.1(j) filed herewith.

WHEREFORE, MetLife respectfully requests that this matter be consolidated with Joseph M. Losapio v. The Lincoln National Life Insurance Company, Docket No.: 0469CV0193 pending in the East Brookfield District Court, County of Worcester

Massachusetts.

LOCAL RULE 7.1 CERTIFICATE OF CONSULTATION

I hereby certify that on August 5, 2004, we conferred with opposing counsel in an attempt to narrow the issues presented by the underlying Motion.



James J. Ciapcia

Defendant,

METROPOLITAN LIFE INSURANCE
COMPANY,

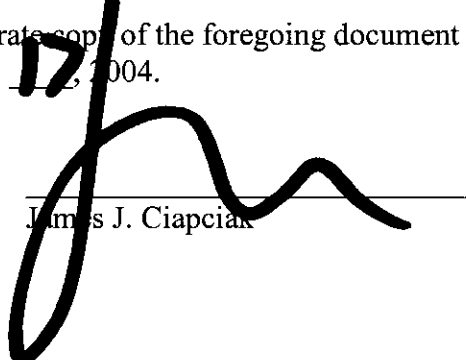
By Its Attorneys,



James J. Ciapcia (BBO # 552328)
Joseph R. Daigle (BBO # 564203)
CIAPCIAK & ASSOCIATES, P.C.
99 Access Road
Norwood, MA 02062
(781) 255-7401

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing document was served upon Counsel of Record on August 12, 2004.



James J. Ciapcia